



CITY OF KIRKLAND

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Eric Shields, Planning Director
Date: February 7, 2014
Subject: Letter to the Washington State Liquor Control Board
Regarding Marijuana Sales. Processing and Production

RECOMMENDATION

City Council reviews the attached draft letter and authorizes the City Manager to sign it.

BACKGROUND DISCUSSION

At the February 4 Council meeting, the City Council asked that the letter to the Washington State Liquor Control Board (WSLCB) be revised to reflect the Council's decision on the interim regulations. The attached letter reflects that decision and was reformatted to make it clearer about which applications do not comply with City zoning regulations or WSLCB buffer rules.

After the February 4 meeting, Planning and Community Development staff contacted WSLCB staff to seek clarification about how buffers around public parks would be determined. It was confirmed that parks with only trails and a few benches would not be buffered. In parks with a mixture of active and passive spaces, the buffer would likely be applied only around the active spaces. A precise way to make the measurement has not been established.

Sharon Foster, Board Chair
 Ruthann Kurose, Board Member
 Chris Marr, Board Member
 Washington State Liquor Control Board
 P.O. Box 43085
 Olympia, WA 98504-0385

Subject: Comments on Marijuana Applications in Kirkland

Dear Liquor Control Board Members:

On behalf of the Kirkland City Council, I offer the following comments on applications submitted to the Washington State Liquor Control Board (WSLCB) for marijuana retail, processing and production licenses in Kirkland. The Council is not opposed to having licensed recreational marijuana uses within the City. The City's approach is to generally allow licensed marijuana businesses in land use zones where other retailing, processing or production uses are allowed. In one instance, a predominantly residential zone that allows retailing was excluded from selling marijuana. However, the Council is mindful of maintaining viable places where marijuana retailers, processors and producers may locate.

Even so, many of the license applications in Kirkland are in locations where the zoning clearly does not allow the type of use proposed. The following applications do not comply with the zoning and the City objects to the issuance of these licenses:

<u>Applicant</u>	<u>License #</u>	<u>Address</u>	<u>Zoning Issue</u>
Think About It	412993	11851 108TH AVE	Producer in residential zone (RSX 7.2 zone)
Chad Grospe	413915	1524 MARKET ST	Processor in office zone (MSC 1)
The Novel Tree	414984	825 7TH AVE	Retailer in industrial zone (LIT zone)
1STMJ	055259	1818 MARKET ST	Retailers in zone (MSC 1) where marijuana sales prohibited by interim ordinance.
Biloxi Green	412927	1818 MARKET ST	
Buzz U	415399	1818 MARKET ST	
Fireplace	415369	1818 MARKET ST	
George Whitfield Butts IV	055246	1818 MARKET ST	
Maison Botanique	413682	1818 MARKET ST	
McCormick Green	413252	1818 MARKET ST	
Mind's Eye	413325	1818 MARKET ST	
Retail Marijuana	055260	1818 MARKET ST	
One Love Organics	414109	11014 120TH AVE NE STE A	Retailer in office zone (TL 10E zone)
Organic Gardens	414177	11014 120TH AVE NE STE B	Retailer in office zone (TL 10E zone)
W & L Holdings	414297	11509 JUANITA DR NE	Retailer in a residential zone (RSA 8 zone)
Resolute Partners	414063	1313 MARKET ST	Retailer in a zone (MSC1) where marijuana sales prohibited by interim ordinance
Seattle Cannabis Kitchens	053096	6227 102ND PL NE	Producer & processor in residential zone (RSX 7.2 zone)
Wow Marijuana	053528	13263 119TH AVE NE	Producer & processor in residential zone
P and R Processing LLC	054342	9260 124TH AVE NE	Producer & processor in residential zone

Cameron Daek	415194	11236 115TH PL NE	Retailer in residential zone (RS 8.5 zone)
Emerald City Botanicals	415147	10856 NE 108TH ST	Retailer in residential zone (RS 8.5 zone)
The Garden	415104	11341 106TH AVE NE	Retailer in residential zone (RS 8.5 zone)
The Garden	415105	11341 106TH AVE NE STE B	Retailer in residential zone (RS 8.5 zone)

In other locations, the zoning allows the use but the proposed sites are within 1,000 feet of public parks, elementary or secondary schools, state licensed child care centers or public transit centers as prohibited under RCW 69.50.331 and WAC 314-55-160(2). Following are the applications in this category:

<u>Applicant</u>	<u>License #</u>	<u>Address</u>	<u>Activity Within 1000 feet</u>
Good News Everyone	414073	12642 NE 85TH ST	Licensed child care: Kiddie Academy Park: Rose Hill Meadows
IVI Enterprise	413594	11308 124TH AVE NE UNIT 301	Licensed child care: Kindercare
Cema Investments	413826	8520 122ND AVE NE	Public park; Rose Hill Meadows
One Love Organic	414173	12504 116TH AVE NE STE A	Licensed child care: Evergreen Academy
Organic Gardens	414177	12504 116TH AVE NE STE B	Licensed child care: Totem West Plaza
THC4Less	414479	12403 NE 124TH ST	Licensed child care: Elite Kids LTD
Hector Degner	414469	11901 124TH AVE NE	Licensed child care: Elite Kids LTD
Okeemomo LLC	415271	11901 124TH AVE NE	Licensed child care: Kindercare
ReoCapital	414346	12106 NE 85TH ST	Public park: Rose Hill Meadows
420 PM	414906	13100 NE 70TH PL	School: Rose Hill Middle School
420 PM	414907	13112 NE 70TH PL	School: Rose Hill Middle School
Twisted Greens Corp	054035	13114 NE 70TH PL	School: Rose Hill Middle School
Jackpot	414602	13100 NE 70TH PL	School: Rose Hill Middle School

In addition, there are a number of applications listing addresses for which we have no record:

<u>Applicant</u>	<u>License #</u>	<u>Address</u>
Lester Farms	054326	13600 NE 128TH ST STE D
Leganjafairy	051728	13536 NE 126TH PL
Josh's Joint	415022	13205 NE 124TH ST #124
The Garden	415105	11341 106TH AVE NE STE B
Hoh Labs	054536	13600 NE 126TH PL STE D1
Stoner Haze	414916	6157 132ND AVE NE

All other marijuana applications listed on the WSLCB web site appear to be located in appropriate zones and are more than 1,000 feet from public parks, elementary and secondary schools, state licensed child care centers and public transit centers. Consequently, the City expresses no objections to issuing licenses for the following applications:

<u>Applicant</u>	<u>License #</u>	<u>Address</u>	<u>ApplType</u>
Grean Sea	415110	12525 TOTEM LAKE BLVD	Retailer

Green Bee	413330	12700 NE 124TH ST STE 1	Retailer
Kush	414407	12525 TOTEM LAKE BLVD	Retailer
Twisted Sacks Corp	414475	1417 MARKET ST	Retailer
Buddy's Buds	414319	12525 TOTEM LAKE BLVD	Retailer
Cloud 9 Ale & Smoke Shoe	414898	13600 NE 126TH PL	Producer
Wakalolo	412807	723 9TH AVE STE A	Processor
Verdelux Chocolates	054239	13621 NE 126TH PL STE 425	Producer/Processor
Vajradhara Products	054112	13649 NE 126TH PL	Producer/Processor
Tetra Consulting	413292	825 7TH AVE	Producer/Processor
Turnkey LLC	052130	12700 NE 124TH ST STE 16	Producer/Processor

Thank you for your consideration of these comments. We look forward to being informed of the applications that you select for final consideration. If you have any questions about the applications referenced in this letter, please contact Eric Shields, Planning director at eshields@kirklandwa.gov or 425-587-3226.

Sincerely,

Kurt Triplett,
City Manager